

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

H., et al.,

Plaintiffs,

v.

BRENTWOOD UNIFIED SCHOOL
DISTRICT, et al.,

Defendants.

Case No. [15-cv-05461-VC](#)

ORDER RE DISCOVERY LETTER

Re: Dkt. No. 52

The Court rules as follows on the discovery dispute set forth in Docket No. 52.

The plaintiff has unreasonably refused to disclose full medical records to the defendant, subject to an appropriate protective order. Counsel's assertion that H's guardian could not get these records without a court order is false. Counsel for the plaintiff and H's guardian shall immediately obtain those records, and shall provide them to the defendant pursuant to an appropriate protective order.

Counsel for the plaintiff has unreasonably refused to negotiate a protective order with the defendant. Counsel for the plaintiff shall do so by Tuesday, September 27, 2016. Otherwise, the defendant may submit a proposed protective order on Wednesday, September 28, 2016 for the Court's review.

The Court is of the view that counsel for the plaintiff, Nicole Hodge Amey, should pay the defendant its costs and fees incurred in connection with this discovery dispute, pursuant to Rule 37(a)(5)(A). Accordingly, by Tuesday, September 27, 2016, the defendant shall submit a declaration setting forth those costs and fees. By Wednesday, September 28, 2016, counsel for the plaintiff may file any response she wishes to file regarding her liability for costs and fees

incurred by the defendant in connection with this discovery dispute.

Furthermore, Ms. Amey is warned that she is in danger of being reported to the California Bar and to the Court's Standing Committee on Professional Conduct.

IT IS SO ORDERED.

Dated: September 23, 2016

A handwritten signature in black ink, appearing to read 'Vince Chhabria', is positioned above a horizontal line.

VINCE CHHABRIA
United States District Judge